Appl. No. 10/682,252
Amdt. dated March 23, 2009
Amendment under 37 CFR 1.114
Request for Continued Examination

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REMARKS/ARGUMENTS

Prior to the entry of this Amendment, claims 1-37 were pending in this application. No claims have been amended, no claims have been canceled, and no claims have been added herein. Therefore, claims 1-37 remain pending in this application. Applicant respectfully requests reconsideration of these claims for at least the reasons presented below.

35 U.S.C. § 103 Rejection, Mullins in view of IBM System

The Office Action has rejected claims 1, 10-13, 21, 24, 26-28, 31 and 33-35 under 35 U.S.C. § 103(a) as being anticipated by U. S. Patent No. 6,985,912 to Mullins et al. (hereinafter "Mullins") in view of non-patent literature entitled *An enterprise directory solution with DB2*, by S.S.B. Shi et al., IBM Systems Journal, Vol. 39, No. 2, 2000 (hereinafter "IBM System"). The Applicants respectfully submit that the Office Action does not establish a *prima facie* case of obviousness in rejecting these claims, as amended. Therefore, the Applicants request reconsideration and withdrawal of the rejection.

In order to establish a *prima facie* case of obviousness, all claimed limitations must first be taught or suggested by the prior art. *See, e.g., DyStar Textilfarben GmbH & Co. Deutschland KG v. C.H. Patrick Co.*, 464 F.3d 1356, 1360 (Fed. Cir. 2006). The Office Action must then provide an explicit analysis supporting the rejection. *See KSR Int'l Co. v. Teleflex Inc.*, 127 S. Ct. 1727, 1741 (2007) ("a patent composed of several elements is not proved obvious merely by demonstrating that each of its elements was, independently, known in the prior art"). While the Office Action can use one of several exemplary rationales from the MPEP to support an obviousness rejection under *KSR*, all the rationales still require the Office Action to demonstrate that all the claim elements are shown in the prior art. *See* MPEP §2143. As will be discussed below, the references cited by the Office Action do not teach or suggest each claimed limitation. For example, none of the references, alone or in combination, teach or suggest determining a relational database from a plurality of data stores to service said request, wherein

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the plurality of data stores comprises the relational database and at least one LDAP directory. Furthermore, none or the references teach or suggest, alone or in combination, determining the relational database from the plurality of data stores by comparing a filter for accessing the data of the attributes from the request to a partitioning expression for each of the data stores.

As noted previously, Mullins "relates in general to enhancing database access and performance when correlating or translating one database to another database or to an object programming application." (Col. 1, lines 13-16) Mullins references "a mapping system for handling data requested by an object software application model in a manner that is compatible with relational data stores." (Col. 7, lines 28-31) "The mapping information can be used to map from objects to relational models or vice versa, objects to objects, object to COBAL or vice versa, and object to XML and the like." (Col. 7, lines 41-44) More specifically, Mullins describes a mapping system that includes "data in the first database format stored in the system; rules for translating from the first format to the second format stored as a separate structure from the data; and means for applying the rules to the data to obtain the second format." (Col. 13, lines 13-17) That is, the rules of Mullins define the relationships between the objects and the database. (Col. 13, lines 40-48) However, Mullins does not disclose determining a relational database from a plurality of data stores to service said request, wherein the plurality of data stores comprises the relational database and at least one LDAP directory.

In response to these arguments, the final Office Action introduces IBM System and provides the Abstract therefrom. This Abstract notes that "this paper discusses an implementation of LDAP that uses the IBM DATABASE 2™ relational database as the data store and query engine to meet the directory service requirements." That is, IBM System seems to teach use of a relational database **instead of** an LDAP directory. As such, IBM System seems to teach away from use of a plurality of data stores comprising the relational database and at least one LDAP directory. Therefore, the Applicants content that the combination of Mullins and IBM Systems does not teach or suggest determining a relational database from a plurality of data stores to service said request, wherein the plurality of data stores comprises the relational

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database and at least one LDAP directory. Additionally, none or the references teach or suggest, alone or in combination, determining the relational database from the plurality of data stores by comparing a filter for accessing the data of the attributes from the request to a partitioning expression for each of the data stores.

Claim 1, upon which claims 2-12 depend, claim 13, upon which claims 14-20 depend, and claim 21, upon which claims 22 and 23 depend, each recite in part receiving a request to access data for one or more attributes, said request includes said attributes in a first data format and a filter for accessing the data of the attributes and determining a relational database from a plurality of data stores to service said request, wherein the plurality of data stores comprises the relational database and at least one LDAP directory and wherein determining the relational database from the plurality of data stores comprises comparing the filter for accessing the data of the attributes to a partitioning expression for each of the data stores. Neither reference, alone or in combination, teaches or suggests determining a relational database from a plurality of data stores to service said request, wherein the plurality of data stores comprises the relational database and at least one LDAP directory. Rather, Mullins teaches translating one database to another database or to an object programming application while IBM System teaches use of a relational database instead of an LDAP directory. Furthermore, none or the references teach or suggest, alone or in combination, determining the relational database from the plurality of data stores by comparing a filter for accessing the data of the attributes from the request to a partitioning expression for each of the data stores.

Similarly, claim 24, upon which claims 25-30 depend, and claim 31, upon which claims 32-37 depend, both recite in part a partitioning module receiving access request information from said data source interface, wherein said partitioning module determines a relational database from a plurality of data stores to service said request, wherein the plurality of data stores comprises the relational database and at least one LDAP directory and wherein determining the relational database from the plurality of data stores comprises comparing the

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filter for accessing the data of the attributes to a partitioning expression for each of the data stores. Neither reference, alone or in combination, teaches or suggests receiving access request information from said data source interface, wherein said partitioning module determines a relational database from a plurality of data stores to service said request, wherein the plurality of data stores comprises the relational database and at least one LDAP directory. Rather, Mullins teaches translating one database to another database or to an object programming application while IBM System teaches use of a relational database instead of an LDAP directory. Furthermore, none or the references teach or suggest, alone or in combination, determining the relational database from the plurality of data stores by comparing a filter for accessing the data of the attributes from the request to a partitioning expression for each of the data stores. For a least the previous reasons, Applicants respectfully request withdrawal of the rejection and allowance of claims 1, 10-13, 21, 24, 26-28, 31 and 33-35.

35 U.S.C. § 103 Rejection, Mullins in view of IBM Systems, in view of Durand

The Office Action has rejected claims 2, 3, 5, 6, 14, 15, 17, 25, 29, 32 and 36 under 35 U.S.C. § 103(a) as being unpatentable over Mullins in view of IBM Systems, in view of U. S. Patent No. 5,694,598 to Durand et al. (hereinafter "Durand"). Applicant respectfully requests withdrawal of the rejection and allowance of the claims for at least the reason that claims 2, 3, 5, 6, 14, 15, 17, 25, 29, 32 and 36 each depend upon a base claim that is thought to be allowable as discussed in detail above.

35 U.S.C. § 103 Rejection, Mullins in view of IBM Systems, in view of Bachmann

The Office Action has rejected claims 4, 16, 30, and 37 under 35 U.S.C. § 103(a) as being unpatentable over Mullins in view of IBM Systems, in view of U. S. Patent No. 6,085,188 to Bachmann et al. (hereinafter "Bachmann"). Applicant respectfully requests withdrawal of the rejection and allowance of the claims for at least the reason that claims 4, 16, 30, and 37 each depend upon a base claim that is thought to be allowable as discussed in detail above.

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35 U.S.C. § 103 Rejection, Mullins in view of IBM Systems, in view of Shen

The Office Action has rejected claims 7-9 and 18-20 under 35 U.S.C. §103(a) as being unpatentable over Mullins in view of IBM Systems, in view of U. S. Patent No. 5,596,746 to Shen et al. (hereinafter "Shen"). Applicant respectfully requests withdrawal of the rejection and allowance of the claims for at least the reason that claims 7-9 and 18-20 each depend upon a base claim that is thought to be allowable as discussed in detail above.

35 U.S.C. § 103 Rejection, Mullins in view of IBM Systems, in view of Durand and further in view of Bachmann

The Office Action has rejected claim 22 under 35 U.S.C. § 103(a) as being unpatentable over Mullins in view of IBM Systems, in view of Durand and further in view of Bachmann. Applicant respectfully requests withdrawal of the rejection and allowance of the claims for at least the reason that claim 22 depends upon a base claim that is thought to be allowable as discussed in detail above.

CONCLUSION

In view of the foregoing, Applicant believes all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,

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